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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,971	06/23/2000	H. Brock Kolls	BK-020-04	1565
23122	7590	02/06/2006	EXAMINER	
RATNERPRESTIA			LASTRA, DANIEL	
P O BOX 980			ART UNIT	PAPER NUMBER
VALLEY FORGE, PA 19482-0980			3622	

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/602,971

Applicant(s)

KOLLS, H. BROCK

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8,10,11,13-16,19 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8,10,11,13-16,19 and 22-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/16/05.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-8, 10, 11, 13-16, 19, 22-25 have been examined. Application 09/602,971 (Internet based network for automotive applications including the facilitation of e-commerce and e-business, and management of wireless connectivity with vehicles) has a filing date 06/23/2000.

### ***Response to Amendment***

2. In response to Non Final Rejection filed 08/11/2005, the Applicant filed an Amendment on 11/16/2005, which amended claims 1, 2, 5, 13, 14, 19, 22, cancel claims 12, 18 and added new claims 24-25.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, 10, 11, 13-16, 19, 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Chou (US 6,330,499).

As per claims 1 and 13, Chou teaches:

A network system for effectuating data communication between a vehicle and a data processing resource, said system comprising:

an in-vehicle device (see figure 3, item 120) installed in said vehicle, said in-vehicle device having a first wireless network connectivity interface (see figure 3, item 102); and

*store display accessible by a customer, said store display equipped with a communication interface device* (see figure 1, item "dealer"; column 5, lines 49-52 "part ordering"):

a second wireless network connectivity interface (see figure 3, "HTTP TCP/IP"), said second wireless network connectivity interface *adapted to* data communicate with said first wireless network connectivity interface (see figure 1, "item 200) ; and

communication interface to communicate data between said second wireless network connectivity interface and said data processing resource *adapted to* effectuate data communication between said in-vehicle device and said data processing resource (see figure 1).

As per claims 2 and 14, Chou teaches:

The network system in accordance with claim 1, wherein said *communication interface device* further comprises:

a wireless data connection, said wireless data connection *adapted to effectuate a* data connection with a wireless device (see figure 1).

As per claims 3 and 15, Chou teaches:

The network system in accordance with claim 2, wherein said wireless data connection includes at least one of the following:

- a wireless transceiver interface;
- said wireless device interface;
- a wireless modem interface (see figure 3, item 102);
- a wireless phone interface; or
- a wireless data link.

As per claims 4 and 16, Chou teaches:

The network system in accordance with claim 2, wherein said wireless device is at least one of the following:

- a wireless phone (see figure 3, item 102);
- a personal data assistant (see column 3, lines 52-55);
- a pager;
- a personal computer ;
- an Internet appliance (see figure 3, "internet"); or
- a programmable storage device.

As per claim 5, Chou teaches:

The network system in accordance with claim 1, wherein said in-vehicle device further comprises:

a wireless data connection, said wireless data connection *adapted to effectuate a* data connection with a wireless device (see figure 3).

As per claim 6, Chou teaches:

The network system in accordance with claim 5, wherein said wireless data connection includes at least one of the following:

- a wireless transceiver interface;
- said wireless device interface;
- a wireless modem interface (see figure 3, item 102);
- a wireless phone interface; or
- a wireless data link (see figure 3).

As per claim 7, Chou teaches:

The network system in accordance with claim 5, wherein said wireless device is at least one of the following:

- a wireless phone (see figure 3, item 102);
- a personal data assistant (see column 3, lines 52-55);
- a pager;
- a personal computer;
- an Internet appliance; or
- a programmable storage device.

As per claim 8, Chou teaches:

The network system in accordance with claim 1, wherein said plurality of communication interfaces includes at least one of the following communication interface types:

- a wired data link (see figure 3);
- a wide area network connection (see figure 1);

- a network connection (see figure 1);
- a universal serial bus port (see column 3, lines 32-45);
- a personal data assistant interface;
- an RS232 interface (see column 3, lines 32-45);
- an RS485 interface;
- a carrier current interface;
- a network connection to the Internet (see figure 1);
- a modem interface (see figure 3, item 102);
- a wireless modem interface;
- a wireless phone transceiver;
- a wireless phone interface (see figure 3, item 102);
- a wireless data link; or
- a local area network interface.

As per claim 10, Chou teaches:

The network system in accordance with claim 1, wherein said data processing resource is one of the following:

- a global network data processing resource (see figure 1);
- a global network server (see figure 1);
- a global network application server (see figure 1);
- a global network database (see figure 1);
- a virtual private network
- an emergency monitoring network (see figure 1, item 200);

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- a second communication interface device (see figure 1);
- a second in-vehicle device;
- a personal computer;
- a wireless phone;
- a personal data assistant;
- a pager;
- a pocket sized personal computer;
- a programmable storage device; or
- an Internet appliance.

As per claim 11, Chou teaches:

The network system in accordance with claim 1, wherein said plurality of communication interfaces data communicate by at least one of the following:

- a wireless connection (see figure 1);
- a wired connection (see figure 3);
- a personal data assistant interface;
- a wireless phone interface (see figure 3, item 102);
- an RS232 serial interface (see column 3, lines 32-45);
- an RS485 interface;
- a USB port interface;
- an ethernet connection;
- a TCP/IP type network connection (see figure 3);
- a PPP type network connection;



a SLIP type network connection;  
a socket layer network connection;  
BLUETOOTH protocol or standard; or  
Wireless Application Protocol or standard.

As per claim 19, Chou teaches:

A method of data communicating between an in-vehicle device installed in a vehicle and a data processing resource, said method comprising:

a) communicating a plurality of digital content wirelessly between an in-vehicle device and *a store display equipped with a communication interface device, said store display accessible by a customer* (see figure 3; column 5, lines 49-52; "dealer");

b) routing said plurality of digital content from said *store display* to said data processing resource (see figure 1);

c) determining at said data processing resource a plurality of return digital content responsive at least in part to said plurality of digital content (see column 5, lines 40-52);

d) routing said plurality of return digital content to said *store display* (see column 5, lines 40-52 "dealer"); and

e) *presenting said plurality of return digital content to said customer at said store display* (see column 5, lines 42-52 "part ordering, dealer referencing").

As per claim 22, Chou teaches:

The method in accordance with claim 19 further comprising, *receiving a selection of one or more of said plurality of return digital content from said customer at said store display* (see column 5, lined 42-52 "part ordering")

As per claim 23, Chou teaches:

The global network based data processing system in accordance with claim 13, wherein said data processing resource is a global network based data processing resource (see figure 1).

As per claims 24 and 25, Chou teaches:

The network system of claim 1, wherein said store display includes a plurality of products for sale (see column 5, lines 42-52 "dealer" and "part ordering")

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-8, 10, 11, 13-16, 19, 22-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Right fax number is 571-273-6720.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra

January 29, 2006

  
RAQUEL ALVAREZ  
PRIMARY EXAMINER